IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

Crl.Rev.Pet.No. 1223 of 2007()

REVN. PETITIONER: APPELLANT/ACCUSED IN CC NO.336/03

BIJU JOSE, AGED 28, S/O. JOSE,
RESIDING AT MADATHILPARAMBIL HOUSE, XLII/952,
K.K.PADMANABHAN ROAD, OPP. PULICKAL SAW MILL,
ERNAKULAM DISTRICT.

BY ADV. SRI.SHAJI CHIRAYATH
SMT. JIJI M. VARKEY

RESPONDENTS: RESPONDENTS/COMPLAINANT IN CC NO.336/03

---

1. CHARLEY GEORGE,
KOLAMBEL HOUSE, VAZHAKULAM, MANJARLLUR VILLAGE,
(UNITED PAPER BAGS), VAZHAKULAM.

2. STATE OF KERALA, REPRESENTED BY
THE DIRECTOR GENERAL OF PROSECUTIONS,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SMT.M.K.SAFEELA BEEVI
SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 20/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

==========

CRL. R.P. NO. 1223 OF 2007

==========

Dated this the 20th day of February 2007

O R D E R

The matter has been settled. The compounding petition has been filed, signed by both the petitioners and their respective counsel. The same is allowed. Hence the case is compounded and the accused is acquitted.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

RV

V. RAMKUMAR, J.

* * * * * * * * * * * * * * * * * * * *

Crl.r.P. No. 1223 of 2005

* * * * * * * * * * * * * * * * * * * *

Dated: 12-09-2007

ORDER

The revision petitioner who was accused in C.C. 354 of 1999 on the file of the J.F.C.M.-II, Aluva, for offences punishable under Sections 457, 461 and 380 I.P.C. challenge the conviction entered and the sentence passed against him by the courts below for the aforementioned offences.

2. The case of the prosecution can be summarised as follows:-

On 28-2-1998 at about 9 p.m. the accused committed house breaking into a residential building (Door No.32/1323(A)) belonging to P.W.1 and committed theft of two wrist watches. two pairs of earstuds and a peal chain worth Rs. 3,250/-.

3. On the side of the prosecution 7 witnesses were examined as P.W.s 1 to 7 and 4 documents were marked as Ext.P1 to P4 and 4 material objects were marked as MOs 1 to 4.

V. RAMKUMAR,

(JUDGE)

ani.